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PROGRAMME: "WORLD CHRONICLE"

GUEST: Elizabeth Evatt, Chairperson
Committee on the Elimination of
Discrimination Against Women (CEDAW)

JOURNALISTS: Raghida Dergham, Al-Hayat, London
Helen Zia, Ms. Magazine
Ian Steele, Press Foundation of Asia

MODERATOR: Claude Robinson

SYNOPSIS

Elizabeth Evatt, Chairperson of the United Nations Committee on the Elimination of Discrimination Against Women, discusses what the U.N. Convention to end discrimination against women has achieved in the past decade and what remains to be done. Justice Evatt reports that to date, 101 states have adopted the Convention, but another 59 countries, including major powers such as the United States, still have not acceded to it.

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VOICE From United Nations Headquarters in New York, this is World Chronicle, an unedited interview programme about major global issues. Here now to introduce our guest is the host of today's World Chronicle.

ROBINSON: I'm Claude Robinson and this is World Chronicle.

In December 1979, the Convention on the Elimination of All Forms of Discrimination Against Women was adopted by the United Nations General Assembly. In 1982, a committee was set up to monitor the implementation of the Convention by those countries which have ratified it. Now the question is: how has the Convention affected women's lives around the world, and how many of them were able to use it for their own advancement?

Our guest today, Elizabeth Evatt of Australia, is Chairperson of the United Nations Committee on the Elimination of Discrimination Against Women. Justice Evatt pioneered the "no-fault" concept of divorce in her home country and she is the first woman to preside over the Australian Law Reform Commission. Justice Evatt will be interviewed here at United Nations Headquarters in New York by: Raghida Dergham of Al-Hayat and Arabic daily of London, Helen Zia of Ms. Magazine; and Ian Steele of the Press Foundation of Asia.

Ms. Evatt, welcome to WORLD CHRONICLE.

ROBINSON: Justice Evatt, to paraphrase a question by a famous American politician, are women better off today than they were at the start of this Convention?

EVATT: I would say definitely, yes. You're looking at ten years and in virtually every country that we have considered in the Committee there have been improvements, either legislative or programme improvements for women.

ROBINSON: What about the number of countries that have adopted the Convention? How many of them?

EVATT: 101 have adopted the Convention.

ROBINSON: Are you happy with that? That means about two thirds of the UN members.

EVATT: We are very happy with that. Yes, that is a very high rate of ratification, one of the highest of the UN treaties.

ROBINSON: And is this just a piece of paper or are they doing anything about it?

EVATT: Well, of course, it is a piece of paper but most of the states that have ratified have a pretty strong commitment and we have already looked at reports from over 60 states and in most cases they have been quite significant changes.

ROBINSON: Before I turn the question over to Raghida, can you just tell us very briefly, what is the highlight of the Convention? What is the most significant thing for women?

EVATT: Well, the Convention aims to eliminate all discrimination against women by removing laws which are discriminatory, by promoting equality and affirmative action programmes and by attempting to change traditional attitudes and practices which really are based on inferiority of one sex from the other.

DERGHAM: Justice Evatt, I was looking at the list of the states who have not ratified the Convention and it's quite interesting to find for example that the United States has not ratified it yet, a list of Islamic and Arab countries have not, Israel did not ratify, South Africa, India, Pakistan. What do these countries have in common?

EVATT: I think probably India and the United States have in common a rather difficult federal-type constitution which may make problems about ratification. I'm not sure. I can't comment on why the United States hasn't ratified. That's a problem for women in this country to take up. The Islamic States, many Islamic States have ratified the Convention. Some have not. When the Islamic States do ratify often they make reservations based on the Islamic Shari'a.

DERGHAM: As far as the United States is concerned is it because there are some clauses about pro choice? Is that the reason?

EVATT: Pro choice, Oh no.

DERGHAM: As far as abortion is concerned?

EVATT: There are no clauses on pro choice really. Oh, well there is nothing in the Convention expressly about abortion although by implication, you could say that it gives women the right to choose the number and spacing of children but it doesn't refer to abortion directly.

DERGHAM: And doesn't it disturb you that again one of the major countries in this world, the United States, has not ratified such a convention? Does it take away from the weight of the effort you're doing?

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EVATT: I don't think so because major countries like China, Russia, Brazil -- countries with huge populations -- have ratified and I would say we've got a very high percentage of the world's women covered by the Convention.

ROBINSON: Helen, perhaps as the representative of Ms. Magazine you may want to take the questioning as far as the attitudes of women in this country, the United States, is concerned.

ZIA: Well, in fact though there may be no terminology about pro choice within the Convention discussion about family planning and so forth are hot buttons within the US political scene. There also would be a bit of contradiction. Within the United States the Equal Rights Amendment has not been passed and has been in fact defeated a number of times and because the scope of the Convention does cover what the Equal Rights Amendment should, the fact that internally there isn't one is a problem and Justice Evatt I would ask you is there any way internationally to get around the internal difficulties that a country might have, such as the United States, or is it really up to the people within the country to get the country to ratify?

EVATT: It's certainly up to the people in the country if they want their government to ratify the Convention to put pressure on to bring that about and countries are free to, if they wish, make reservations about aspects of the Convention that don't particularly appeal to them. So that's an avenue for government to consider. If there is pressure on it to ratify, it can ratify part of the Convention if it can't ratify the whole of it. So certainly the UN system as such encourages all the States to ratify the conventions. As far as I know the United States has ratified very few, if any of the UN human rights conventions.

ROBINSON: Have you found that pressure has been a factor in any country, that women's movements in fact...?

EVATT: Certainly.

ROBINSON: Like which countries?

EVATT: I couldn't give you names but in many countries the women's movement has put pressure on the government to take this action to ratify the Convention, and that has followed. Also, a number of countries are anxious to show the commitment to equality for women and that leads them to ratification and ratification in turn involves changes in the law and practice in the state.

STEELE: How effective can a convention be when signatories are at odds with fundamental objectives and ask for exceptions or state exceptions. I am thinking of Thailand for example which has a list of provisions which it takes exception to and they have been the subject of some discussion. Not many answers have I heard during the current session of the Committee. For example, basic questions of rights of women to equal opportunity and employment they don't fancy going with that; others relate to equal access to education, equal rights in marriage. There are about 100 as you said accessions, countries that have supported the Convention, how many of them have fundamental objections and what does that say about the Convention itself.

EVATT: Well, we have seen at this session a number of states who have significant reservations to the Convention but we've also seen that several of those states announced to the Committee during its review that they intended to withdraw some of their reservations and in one case, I think, it was all

the reservations were to be withdrawn so that the process of reporting to the Committee has at least brought about a consideration of this issue and a decision to make a change. But you asked how effective the Convention can be. The Convention shouldn't be seen as operating from a bookshelf. The Convention is a tool which has to be used by people who believe in its principles. It's there, it's available for women's organization in the states to take up and use in putting pressure on government, it's there for the Committee to use in its discussions with government. Of course we can't wade into a country and make changes there but we can exert our influence, express our views and hope that that will be taken up.

STEELE: Do non-governmental organizations have a voice through your Committee?

EVATT: They don't have an official voice but more and more often now NGO's are providing information to members of the Committee about women in particular countries which committee members use quite frankly and openly in their discussions with the state representatives.

DERGHAM: I'd like to follow through on Ian's questions. Several countries have stipulated different conditions when they ratified. Effectively, doesn't that reduce the effectiveness of the Convention? I will follow through with different examples if you wouldn't mind after you answer.

EVATT: Well, you have to see it in terms of international law. If a state is not intending to implement the Convention in full it's preferable that it ratify with a reservation and implement those parts of the Convention which are acceptable rather than to ratify without a reservation and then not comply with the Convention.

DERGHAM: Well, why? Is the signature that important?

EVATT: Yes, because the State will respect its international obligations and if it cannot comply with every part of the Convention the state will decide to reserve its position until it can comply. That's an international practice.

DERGHAM: Let me take Egypt as an example, for example. Egypt is one of the countries who ratified the Convention but it says, it always stated that as long as it does not conflict with Egyptian rules and laws. Now such rules include the fact that men and women do not have equal rights for divorce so when they stipulate that they will sign the Convention yet they will go on with the local laws. Where are we? What's really the effectiveness of being a party to the Convention?

EVATT: Well, Egypt has some reservations. Their representative told us yesterday that they were reconsidering one of their reservations.

ROBINSON: Including the one on divorce?

EVATT: The one on Article 9, that's the nationality one. We asked them about Article 2 and Article 16 because what we are trying to find out is ...

ROBINSON: What is Article 2 by the way?

EVATT: That's the general provisions about equality and Article 16 is about the family, equality in the family. What we are trying to find out is exactly how the Shari'a, that's the Islamic law, is interpreted and what effect this has on the equality of women in the family situation.

That's the main area affected. The representative gave us some information but he told us that there were certain different interpretations of the Islamic Shari'a and we want more information about it. We really are asking for texts of Shari'a laws or detailed information about how this operates so that we can take the question up again, but the reservations don't effect every article of the Convention.

ZIA: I'd like to move on to the question of traditional human rights organizations, international human rights organizations, which for years have even yet not recognized women's rights, for example reproductive rights, or battery, sexual choice, forced marriage and child marriage and issues like that to be a part of their agenda because those women's rights issues are not seen as political in nature. Is this an area that CEDAW views as something within the scope of its work and to bring those human rights organizations into some understanding of women's rights as human rights?

EVATT: Well, we certainly regard women's rights as human rights. We are a human rights treaty body and we are looking at the rights of women and the main provision of our Convention is that women be accorded all rights -- civil, economic and social -- on terms of equality of with men. That's the basic provision of the Convention so we see women's rights as human rights and if any body supporting human rights take up women's issues naturally we would be very glad about that.

ZIA: Well, if I may follow up?

ROBINSON: Helen, just before you follow up may I just remind the programme is **WORLD CHRONICLE**. Our guest is Elizabeth Evatt, Chairperson of the United Nations Committee on the Elimination of Discrimination Against Women.

ZIA: Well, as the Chair of CEDAW ...

ROBINSON: CEDAW meaning the acronym for the Committee?

ZIA: Yes. Do you have recommendations as to how organizations internally can put pressure on such and to use the Convention to put pressure on such organizations?

EVATT: No, our recommendations are addressed to states in their implementation of the Convention or to the UN system as a whole. We don't address recommendations to non-governmental organizations.

STEELE: You raised the question of accessibility of the Convention, access by women to the provisions within it. I wonder how many women in developing countries in particular, are aware of the existence of the Convention and what they could do about it if they did? How accessible is the Committee to individual groups and what does the Committee do to publicize its existence and the recourses that might be available?

EVATT: What the Committee does is ask states what action they're taking to publicize the Convention and have it translated into their own languages and broadcast or disseminated among the people of the country. We ask that and we suggest that it be done or we recommend that it be done. The Committee itself doesn't have a budget for publicity unfortunately but the UN publicity people have put on I think a special effort during this tenth anniversary celebrations to disseminate information to women in the relevant countries.

STEELE: Essentially women in remote areas are on their own. What would be the mechanisms by which they could first of all learn of the Convention and take advantage of it in any way? They would have to work through the people who report to you, wouldn't they?

EVATT: No, not necessarily. There are women's NGO's in countries who are taking out the message. There are lots of imaginative ways in which the message of the Convention is being put out to women -- in drama, in broadcasting, through community workers, through NGOs. There are lots of ways it's being done. I wish it would be better known. The problem is when it is known what can be done with it. This is why one of our key interests is ensuring that women have their educational level raised, their literacy level.

STEELE: Are you sometimes concerned at the limits to your strength, to your capacity to follow through and really bring tangible gains?

EVATT: Well, we realize that everything in the UN system works rather slowly. We see the process under which states come to discuss with us what we are doing. We see that as valuable, we see it as being responsible for changes in attitudes in key people in the state administration and we see it as responsible for changes that are brought about as a result of the reporting process. We would like a lot more to be done. Quite frankly, as you know, the position of many women in the world is really very bad. They are undereducated, they have this double burden of family responsibility and work, they have many children to look after and there are many of them in poverty. This is very bad. It's a reflection on the whole international economic system that this is the case and we can't solve all those problems but we can encourage states to take particular measures.

ROBINSON: Speaking of the United Nations itself, a lot of women in the United Nations have complained that the organization as an organization has not lived up to the Convention, certainly in terms of hiring and promoting women. What's the attitude of the Committee? Is that true?

EVATT: Well, its not really within our terms. We have spoken about it and we have passed resolutions to encourage the UN system to live up to this because from the very beginning of the UN charter women were accorded equality in the UN system and yet women have not received advancement in the hierarchy of the UN and this is mainly the responsibility of states who have not promoted or nominated women for higher positions and made sure that they get those positions. This is not too good. We'd like an improvement there but I guess if you ask the main concern it is about the women in the developing countries whose needs are really greater. But if we could get more women in top positions maybe we could change things to help them.

ZIA: The other side of accessibility and the process of educating within the country through the Convention is one side, the other is the compliance and women theoretically, through the Convention, can go all the way up to The Hague as far as pursuing a violation or seeking compliance within the Convention?

EVATT: I don't think so, no. Under this Convention there is no right of individual complaint or communication as there is under the Convention on Civil and Political Rights. I think it would be a very good idea if states started to think about such a right. It would be good to ventilate some of these issues before an international tribunal but so far that's not possible.

DERGHAM: You spoke about the responsibility of governments. I want to ask you about the responsibility of movements, women's movements or organizations within the United Nations, the Committee such as the one you head. All along you have taken up the same approach which at times has alienated countries or women in countries that are considered developing

countries. There was this conflict of culture. Let's take the Arab World for example. It has been said that there is a fear of isolating women as an issue therefore isolating family. Therefore its a reminder for some people that's it's the colonialist time when there was sort of a determined effort to undermine the society through undermining the family. Have you done anything to alleviate such fears be it justified or not but the point is that such fears exist. What have you done to alleviate them?

EVATT: I am not sure I understand what the fears are. We are talking about equality of women and we feel that the inequalities which women undergo are often perpetuated by traditional and patriarchal outlooks. For women to achieve true equality those attitudes have to change so that women are valued as equal to men and that girls are valued as equal to boys which is not the case everywhere. We want to change those attitudes.

DERGHAM: But even as you say that Justice Evatt, you're saying it in a way that it would be alien to people from a different culture. We want to change this, it is not the correct concept, etc. Maybe this is ideal and good enough but the point is the methods that you are applying. They may not be...

EVATT: I don't think you should imply from what I say that I would say to anyone your culture is wrong, it is bad and I reject it. That is not at all the way that I would approach it. On the contrary. One can encourage change rather than enforce it. You take the issue of female circumcision which is a matter the Committee has been considering, our approach is not to say to condemn and punish, our approach is to say women in the countries where this happen are moving themselves to change these practices, let us support this, let us give support as to what is being done in the country to bring about change. Support rather than condemn that would be our approach.

DERGHAM: Yes, but then there is still apparently you have fallen short of sort of succeeding on essential issues other than the circumcision. Isn't it time to change the methods for awareness so that you would be working within the culture and not above the culture of the country concerned or the region concerned.

EVATT: The committee is there to hear from the state and discuss with the state. We would like to have time to talk to all the women in each country to find out the best way of promoting their interest but unfortunately, two weeks each year doesn't allow for that. But support, I assure you that the Committee wishes to support women and not to condemn.

STEELE: It seems as though there's a good deal of flexibility for nations within the Convention. I wonder whether the Convention itself is in any way a flexible document, whether it expands and changes with the times. I'm thinking in particular to an issue which might come under the subject of violence to women -- the issue of AIDS and women's relative powerlessness to protect themselves against the transmission of the virus from lovers or spouses. It's a very troubling issue and I wonder whether there has been an effort to address those kinds of problems legally and to incorporate them within the Convention. Is it an evolutionary document or process?

EVATT: Oh, yes. It's capable of incorporating all ideas relating to the status and equality of women. Indeed, we have the issue of AIDS on our agenda for a resolution in the next couple of days.

STEELE: Could you share some thoughts about what it contains?

EVATT: Yes, it encourages states to take a positive attitude in assisting women to protect themselves from AIDS and to involve women in the movement to combat AIDS in the educational process. It mentions this particular vulnerability of women to AIDS.

STEELE: Once again its a cultural milieu that you're dealing with in the case of the developing world in particular. It's essential an issue that's being left to men
....

EVATT: Yes, because in many countries of the world women, through poverty are driven into prostitution and this is their only means of livelihood in this position. They are not in a strong way to protect themselves against the spread of AIDS and this could leave their children quite destitute and indeed women with AIDS can pass this on to their children. These factors I think are not well known in developed countries.

ROBINSON: At the start of this show Justice Evatt, you said that women were better off in many ways. Let's take for instance the question of employment and women in positions of power and influence. You yourself are in such a position in Australia but is that fairly widespread in developing countries or is it still a major problem?

EVATT: In developing countries I think it's less so than in the developed world but in the developed world women have started to make gains in the political system.

ROBINSON: Is this because of education or attitude or a combination?

EVATT: Well it all goes together. When women's educational level increases generally their income level increases and their ability to take part in politics increases.

ROBINSON: And now we see that with recession in many parts of the world the amount of spending or the availability for spending on education is less.

EVATT: I think the debt crisis has put back advancement of women to some extent because of the lack of education that's available.

ROBINSON: One question and one quick answer. The next decade, is it going to be better or the same as the one we are just ending?

EVATT: Well, I think you'll see the same slow progress. I wish it could be quicker.

ROBINSON: Our guest has been Elizabeth Evatt, Chairperson of the UN Committee on the Elimination of Discrimination Against Women. She was interviewed here at United Nations Headquarters in New York by: Raghida Dergham of Al-Hayat, and Arabic daily of London, Helen Zia of Ms. Magazine; and Ian Steele of the Press Foundation of Asia.

I am Claude Robinson. Thank you for joining us. We invite you to be with us for the next edition of **WORLD CHRONICLE**

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